

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO

IN RE:  
ALVIN IVAN RODRIGUEZ HERNANDEZ  
IVONNE MERCADO RODRIGUEZ

DEBTOR (S)

CASE NO. 11-07146-BKT

CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT  
ON PROPOSED PLAN CONFIRMATION UNDER §1325**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1325**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.** Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$0 R2016 STM. \$3,000.00**

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| <b>TOTAL ATTORNEYS FEES THRU PLAN: \$2,874.00   Fees paid: \$0.00   Fees Outstanding: \$2,874.00</b> |
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With respect to the proposed (amended) Plan dated: **August 26, 2011** (Dkt 2). Plan Base: **14,660.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Feasibility [§1325(a)(6)]

BBVA, secured creditor provided for in the plan [mortgage arrears], is yet to file its proof of claim. Said creditor will not participate from the disbursements until it files its claim.

- [§1325(a)(5)(A)] Secured creditor(s) provided for in the Plan has/have NOT ACCEPTED the same.

BBVA has filed an objection to the confirmation of the proposed plan due to the fact that the plan fails to provide for the payment of insurance upon the maturity of the loan. Docket NO. 17. Debtor also fails to provide for pre adequate protection for said creditor.

- Other/Comments

Debtor must submit evidence of being current with DSO payments up until the month of November 2011. The plan might be insufficiently funded to pay insurance to BBVA for the plan as filed is very tight.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

**CERTIFICATE OF SERVICE:** The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this October 24, 2011.

/s/ Nannette Godreau -Staff Attorney

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JOSE R. CARRION  
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